

1653
JfW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68821

Shinichiro ASANO, et al.

Appln. No.: 10/089,678

Group Art Unit: 1653

Confirmation No.: 5542

Examiner: Hope A. Robinson

Filed: April 03, 2002

For: PROTEIN HAVING PESTICIDAL ACTIVITY, DNA ENCODING THE PROTEIN,
AND NOXIOUS ORGANISM-CONTROLLING AGENT AND METHOD

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the telephonic interview
conducted on June 24, 2005 between Examiner Robinson, Examiner Weber, and Mark L.

Hayman (attorney for Applicant):

REMARKS

An Examiner's Interview Summary Record (PTOL-413) was attached with the
Supplemental Notice of Allowability dated June 30, 2005.

The interview was initiated by the Examiner. Therefore, no further recordation by the
Applicant is believed to be required.

However, during the interview, the following was discussed:

1. Brief description of exhibits or demonstration: None.
2. Identification of claims discussed: claims 6 and 11.

Statement of Substance of Interview
USSN 10/089,678

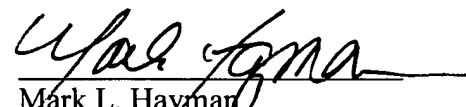
3. Identification of art discussed: None.
4. Identification of principal proposed amendments: As set forth in the Examiner's Amendment.
5. Brief Identification of principal arguments: None.
6. Indication of other pertinent matters discussed: None.
7. Results of Interview: Agreement was reached as set forth in the Examiner's

Interview Summary.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


Mark L. Hayman
Registration No. 51,793

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: July 14, 2005